

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

JAREK MOLSKI and DISABILITY RIGHTS ENFORCEMENT, EDUCATION SERVICES: HELPING YOU HELP OTHERS.

No. C-04-04451 PVT

Plaintiffs.

**ORDER VACATING PRE-TRIAL AND
TRIAL DATES; ORDER SETTING
FURTHER CASE MANAGEMENT
CONFERENCE**

JACK LONDON'S BAR & GRILL and
CARMEL CHILI COMPANY, INC.,

[Docket Nos. 35, 36, 37]

Defendants.

On April 5, 2006, the court granted plaintiffs Jarek Molski and Disability Rights Enforcement, Education Services: Helping You Help Others (collectively "Plaintiffs") motion to shorten time on their motion to continue the pre-trial schedule, including the trial date. Plaintiffs had moved to continue the pre-trial schedule because the court had granted Plaintiffs' motion to add a new party on February 14, 2006. On March 2, 2006, Plaintiffs filed an amended complaint adding Nancy Moresco as a new party. On March 17, 2006, Plaintiffs served Nancy Moresco with, *inter alia*, a summons and the amended complaint in the action. Trial is scheduled to commence on May 8, 2006. Plaintiffs move to continue the pre-trial schedule to allow the new party to appear and prepare for trial.

1 Defendants Jack London's Bar & Grill and Carmel Chili Company, Inc. (collectively
2 "Defendants") do not oppose the motion. However, Defendants state that amended pre-trial
3 and trial dates should be set following an appearance by the new party Nancy Moresco.
4 Defendants further state that the new party Nancy Moresco may not consent to a U.S.
5 Magistrate Judge.

6 Accordingly, current pre-trial and trial dates are vacated. The parties shall appear for
7 further case management conference on Tuesday, May 23, 2006 at 2PM. The parties shall
8 file a joint or separate case management statement seven days in advance of the further case
9 management conference.

10 IT IS SO ORDERED.

11 Dated: 4/12/2006

Patricia V. Trumbull

12 PATRICIA V. TRUMBULL
United States Magistrate Judge

United States District Court

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For the Northern District of California